

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAMES LUEDTKE,

Plaintiff,

v.

CIOLLI, *et al.*,

Defendants.

No. 1:20-cv-00406-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS RECOMMENDING  
THAT PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION BE DENIED

(Doc. Nos. 10, 11)

Plaintiff James Luedtke is a federal prisoner proceeding *pro se* and *in forma pauperis* in this action filed pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 14, 2020, plaintiff filed a motion for a court order addressing the quality and quantity of food served at the institution where he is currently incarcerated. (Doc. No. 10.) The assigned magistrate judge construed plaintiff's filing as a motion for preliminary injunction, and on April 15, 2020, issued findings and recommendations recommending that plaintiff's motion for preliminary injunction be denied for lack of jurisdiction. (Doc. No. 11.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) More than fourteen days have passed, and no objections have been filed.

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings  
3 and recommendations to be supported by the record and by proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on April 15, 2020, (Doc. No. 11), are  
6 adopted in full; and
- 7 2. Plaintiff's motion for a preliminary injunction (Doc. No. 10) is DENIED.

8 IT IS SO ORDERED.

9 Dated: May 22, 2020

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UNITED STATES DISTRICT JUDGE